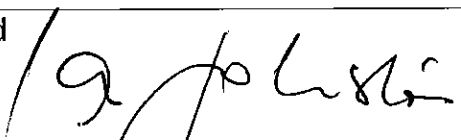


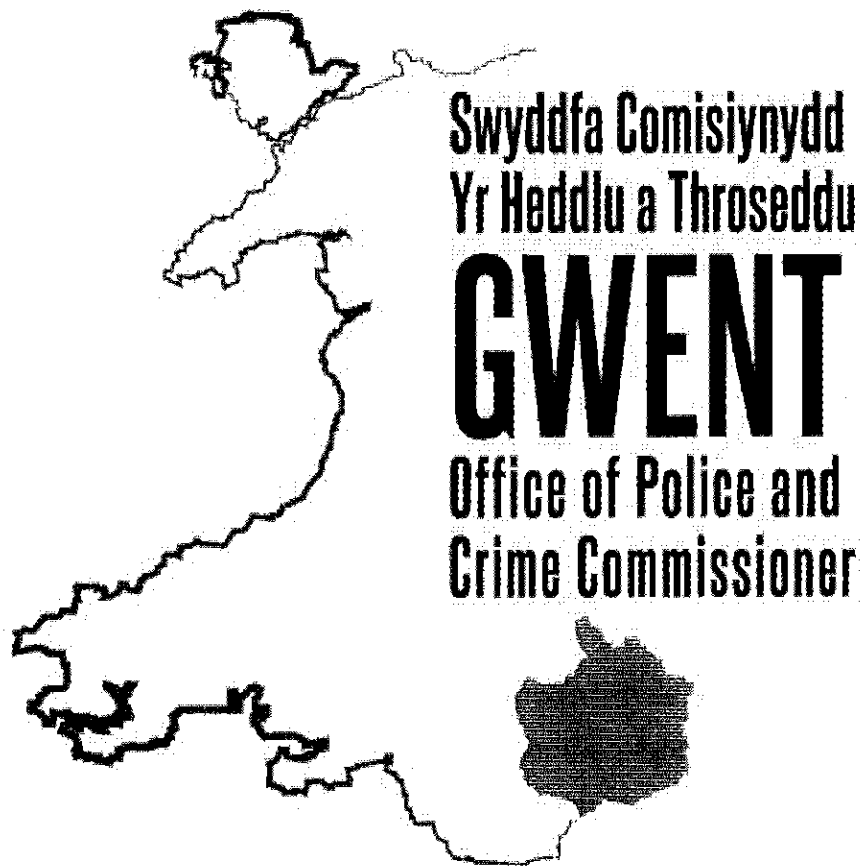
Police and Crime Commissioner for Gwent Decision	
PCCG-2016-004	Police and Crime Commissioner for Gwent Decision
Subject	Business Interests Policy
Summary	To record the decision of the Police and Crime Commissioner regarding the Office of the Police and Crime Commissioner Business Interests Policy.

DECISION

1. The aim of this policy is to ensure that all staff within the Office of the Police and Crime Commissioner (OPCC) are treated fairly and equally when applying for a business interest. The policy will also ensure that the business interest does not conflict with an individual's role within the OPCC.
2. Staff should declare and seek approval to undertake a business interest if, outside of their OPCC employment, they carry on any business (paid or unpaid), employment or voluntary work.
3. All applications for a business interest should be emailed to the Chief of Staff who will take into consideration key criteria when determining whether or not to approve the application. All approved business interests will be collated on a register that will be maintained and reviewed annually by the Information Officer. The Joint Audit Committee will also review an anonymised version of the register along with OPCC compliance with this policy on an annual basis.
4. I agree to approve the Business Interests Policy.

Ian Johnston QPM, Police and Crime Commissioner for Gwent	
I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with my code of conduct. Any such interests are recorded below.	
The above request has my approval.	
Signed 	Date 18.1.16.

Contact Officer	
Name	Joanne Regan
Position	Information Officer
Telephone	01633 642015
Email	<u>Joanne.Regan@Gwent.pnn.police.uk</u>
Background papers	Business Interest Policy



Disclosure of Business Interests

Policy

Approved January 2016

Next review January 2020

Office of the Police and Crime Commissioner (OPCC) Business Interests Policy

Introduction

1. Staff who have a business interest or wish to obtain approval for undertaking a business interest should comply with the procedure outlined within this policy. For the purposes of this policy a business interest also covers any work undertaken on a voluntary basis for which no remuneration is received.
2. This policy aims to ensure that all staff are treated equally and fairly.
3. The application of this policy will ensure that a business interest does not conflict with an individual's role within the OPCC.

Policy

4. This policy applies to all members of staff.
5. Staff are required to declare and seek approval to undertake a business interest if, outside their OPCC employment they carry on any business (paid or unpaid), or employment. If a member of staff has already declared an interest in an organisation at which they undertake a management role (e.g. trustee), they will not be expected to declare a further interest if they also, for example, volunteer additional time within the same organisation.
6. Where the business interest already exists applicants for posts within the OPCC will be required to declare and seek approval as part of the recruitment and selection process. This must be completed prior to commencing employment.

Principles

7. The Chief of Staff has responsibility for the approval of business Interests.
8. In making that decision the Chief of Staff will consider the details of the application along with the following factors:-
 - whether the activity is one regulated by the police, or where police are involved in licensing.
 - whether a conflict of interest could arise, including any interest that has contact with the OPCC.

- whether the business interest has the potential to cause embarrassment or bring disrepute to the OPCC.
- any risk to the personal health and wellbeing of the member of staff. A business interest could involve a risk of injury or increased stress and tiredness that may impact upon the member of staff's ability to perform their duties safely and/or to a satisfactory standard.
- recognition of the Working Time Regulations, with specific regard to the total hours worked (in relation to their employment with the OPCC and their business interest) and the resultant risks to health and safety.

Process

9. The stages in the process are as follows: -

- i. The staff member may meet with their line manager to discuss their business interest, prior to making a formal application.
- ii. Following this meeting the staff member will submit an e-mail application to Chief of Staff. Please see appendix 1 for the information required.
- iii. The Chief of Staff will issue a final decision within 28 days of the application being received.
- iv. Where approval is granted the Chief of Staff may impose certain conditions. A copy of the approval letter shall be retained on the personal file of the member of staff.
- v. If the staff member does not agree with the conditions attached to the approval (if applicable), representations can be made to the Chief of Staff, who will consider them and provide a final decision to the staff member.
- vi. Where approval is not granted a letter to the member of staff will record the reasons. A meeting must be held with the individual concerned, fully explaining the rationale for the decision. The application e-mail will be placed on the staff member's personal file.
- vii. Once a refusal notice or approval with conditions notice is provided, the staff member has 10 days from receipt of the letter to appeal to the Police and Crime Commissioner (PCC). The PCC will re-consider the application and the reasons for the refusal/approval with conditions and a decision will be reached. This decision is final and cannot be appealed.

viii. Members of Staff are required to declare any changes concerning the nature of the business interest and the Chief of Staff will review these in light of the circumstances. Staff should be aware that depending on the degree of change, continued approval to a previously agreed business interest may not be granted.

Approval of Business Interests – Conditions

10. Where business interests are approved staff members must comply with the following conditions:-

- Duties/commitments in connection with the business must be carried out in the staff member's own time and away from the OPCC premises.
- They must not advertise their role as a member of the OPCC staff to promote the business or any product of the business, nor should they allow other organisations to do so.
- The individual is responsible for compliance with Working Time Regulations and health and safety requirements.
- Where one or more member of staff holds a joint business interest, each individual concerned must apply for approval in accordance with this policy.
- Attendance levels and performance at work will be considered when an individual seeks approval for a business interest.

Withdrawal of Approval of Business Interests

11. Where approval for a business interest is withdrawn the circumstances must be recorded in writing. A meeting must be held with the individual concerned, fully explaining the rationale for the decision.

Sanctions

12. Breaches of this policy will be dealt with under the Disciplinary Policy.

Key Areas for Inclusion in Applications of Business Interest

All staff members who have a business interest or who wish to obtain approval for a business interest must send an email to the Chief of Staff containing the following details:

- Name
- Job Title
- Date of application
- Details of any other approved business interests
- Details of the work to be undertaken in relation to the proposed business interest, including:
 - Relevant contact details
 - Property rental – address of property to be rented and the name and address of the letting agent used.
- Whether or not any remuneration is received
- How many hours per week you intend to work
 - Would undertaking the additional work result in you exceeding the 48 hour per week rule set out in the Working Time Directive? If yes, then please complete the Opt-Out form at the end of this document.

Please note: It is incumbent on you to ensure that HM Revenue & Customs are informed of any additional income earned.

Once the business interest has been considered by the Chief of Staff, a letter will be sent within 28 days detailing whether or not the business interest has been approved.

If you wish to appeal the decision of the Chief of Staff you must submit an email to the Police and Crime Commissioner detailing the reasons for the appeal within 10 days of receipt of the letter from the Chief of Staff. The Police and Crime Commissioner will review the appeal and issue a decision. This decision will be final and cannot be appealed.

Any business interests submitted by the Chief of Staff will follow the same process as detailed above with the request initially submitted to the Chief Finance Officer for consideration. Any appeal will be dealt with by the Police and Crime Commissioner.

Appendix 2

Working Time Regulations Opt-out Form

Individual Agreement to Dis-apply the 48 Hour Average Working Week

I confirm that I have read and understand the main provisions of the Working Time Regulations.



I note that the Regulations limit the working week (including overtime and voluntary or paid secondary employment) to a maximum average of 48 hours per week over a 17 week period. I would like to make an individual agreement to disapply this limit.

Details of my additional hours of work are as follows:

.....
.....
.....
.....

Should I no longer wish to work in excess of 48 hours per week, I agree to give 1 months notice of my intention to cancel this agreement.

I understand that, whilst I am not required to exceed the 48 hour working week, I wish to do so.

Signed..... Date.....

(Print name).....

PLEASE RETAIN A COPY OF THIS AGREEMENT AND RETURN THE ORIGINAL TOGETHER WITH YOUR BUSINESS INTEREST APPLICATION IN ORDER THAT IT MAY BE PLACED ON YOUR PERSONAL FILE.